UNITED STATES

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

# CONSTITUTION AND BY-LAWS

# OF THE

# NOME ESKIMO COMMUNITY

# ALASKA

RATIFIED NOVEMBER 23, 1939

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UNITED STATES

GOVERNMENT PRINTING OFFICE

WASHINGTON : 1940

# CONSTITUTION AND BY-LAWS OF THE NOME ESKIMO COMMUNITY

We, a group of Eskimos having the common bond of living together in the Town of Nome, Territory of Alaska, in order to have better life and greater security, make for ourselves this Constitution and By-laws, by authority of the Act of Congress of June 18, 1934, as amended by the Acts of June 15, 1935 and May 1, 1936.

## ARTICLE I-NAME

This organization shall be called the "Nome Eskimo Community."

## ARTICLE II-MEMBERSHIP

SECTION 1. *First Members.*-All persons whose names are on the list of native residents, made according to the Instructions of the Secretary of the Interior for organization in Alaska, shall be members of the Community.

SEC. 2. *Children of Members.*-All children of any members shall be members of the Community.

SEC. 3. *Loss of Membership.*-Any member may willingly give up his membership, or his membership may be taken away for good reason by the Community, or if he moves away from the Community, intending not to return, he shall lose his membership.

SEC. 4. *New Membership.*-Any person who has lost his membership and any other native person may be made a member if he sets up a home in the Community.

SEC. 5. *Membership Rules.*-The Community may make rules to govern membership, either for the purpose of carrying out this Article or covering membership matters not taken care of in this Article.

## ARTICLE III-GOVERNING BODY

SECTION 1. *Choice of Governing Body.*-At a general meeting following the acceptance of this Constitution, the Community membership shall decide what kind of governing body it wishes to set up to speak and act for the Community and to use the powers of the Community. If there is a governing body already set up in the Community, at the time this Constitution is accepted, the membership may decide to keep that governing body, or it may choose a new form of government.

SEC. 2. *Choice of Officers.*-The Community shall at the same time decide how members and officers of the governing body shall be chosen and how long they shall serve. The Community shall then choose the members to serve on the governing body and such officers as may be thought necessary.

SEC. 3. *Meetings of Membership and Governing Body.*-The Community shall decide when and how often there should be meetings of the whole Community membership as well as of the governing body; also it shall decide what notice shall be given for the calling of meetings and how many members must be present at such meetings in order to do business; and it may make any other rules necessary for the holding of meetings. A general meeting of the whole membership shall be held at least once a year.

SEC. 4. *Record and Report of Community Decisions.*-A record shall be made and kept of all the rules made under sections 1, 2, and 3 of this Article, which record shall be called the Record of Organization of the Native Community of Nome. Copies of this record shall be given to the teacher or other representative of the Office of Indian Affairs serving the Community. There shall be put in the record the names of all persons chosen to be officers of the Community.

## ARTICLE IV-POWERS OF THE COMMUNITY

SECTION 1. *Powers Held.*-The Community shall have the following powers:

To do all things for the common good which it has done or has had the right to do in the past and which are not against Federal law and such Territorial law as may apply.

To deal with the Federal and Territorial Governments on matters which interest the Community, to stop any giving or taking away of Community lands or other property without its consent, and to get legal aid, as set forth in the act of June 18, 1934.

To control the use by members or nonmembers of any reserve set aside by the Federal Government for the Community and to keep order in the reserve.

To guard and to foster native life, arts and possessions and native customs not against law.

SEC. 2. *Grant of More Powers.*-The Community may have and use such other powers as may be given to it by the Federal or Territorial Government.

SEC. 3. *Use of Powers.*-The governing body shall put into use such of the powers of the Community as the Community may give to it at general meetings of the membership and shall make reports of its actions to the membership at general meetings.

SEC. 4. *Rule-making Powers.*-The Community may make rules which are not against law to carry out the words of this Constitution.

## ARTICLE V-RIGHTS OF MEMBERS

SECTION 1. *Right to Vote.*-All members of the Community 21 years of age or over shall have the right to vote in Community meetings and elections.

SEC. 2. *Right to Speak and Meet Freely.*-Members of the Community shall have the right to speak and meet together freely in a peaceable way.

SEC. 3. *Right to Share in Benefits.*-Members of the Community shall have equal chance to share in the benefits of the Community.

## ARTICLE VI-CHANGES IN THE CONSTITUTION

Changes in this Constitution and By-laws may be made if the changes are approved by the Secretary of the Interior and by a majority vote of the Community members voting in an election called by Secretary of the Interior at which at least 30 per cent of the voting membership take part.

## BY-LAWS OF THE NOME ESKIMO COMMUNITY

## ARTICLE I-OFFICERS AND THEIR DUTIES

SECTION 1. *Community Records.*-The Community or the governing body shall choose one or more members who shall have the duty of keeping records of all actions and decisions of the Community and of the governing body and of giving copies of the records to the representative of the Office of Indian Affairs serving the Community.

SEC. 2. *Community Funds.*-The Community or the governing body shall choose one or more members who shall have the duty of caring for the Community funds and keeping records of all funds taken in and paid out and giving copies of the records to the representative of the Office of Indian Affairs.

SEC. 3. *Officers and Agents.*-The Community or the governing body may choose as many officers and agents as it may need to carry out its duties and shall state the length of service and the duties of each officer or agent when he is chosen.

## ARTICLE II-ADOPTION

This Constitution and By-laws shall be in effect when it is agreed to by a majority vote of the Community members voting in an election called for the purpose by the Secretary of the Interior, provided that at least 30 per cent of the voting membership take part. The persons entitled to vote are all the adult native residents in the Town of Nome.

## APPROVAL

This Constitution and By-laws is hereby approved by the Assistant Secretary of the Interior and submitted for acceptance or rejection by the group of Eskimos having a common bond of living together in the Town of Nome, Alaska, in an election called and held under the Instructions of the Secretary of the Interior.

All rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said constitution and by-laws will be inapplicable to the Nome Eskimo Community, Territory of Alaska, from and after the date of adoption of this constitution.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said constitution and by-laws.

**OSCAR L. CHAPMAN,**

*Assistant Secretary.*

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**WASHINGTON, D. C.,** *September 9, 1939.*

## CERTIFICATION OF ADOPTION

Pursuant to an order, approved September 9, 1939, by the Assistant Secretary of the Interior, the attached constitution and by-laws was submitted for ratification to the group of Indians having a common bond of residence in the Town of Nome, Territory of Alaska, and was on November 23, 1939, duly ratified by a vote of 75 for, and 1 against in an election in which over 30 per cent of those entitled

to vote cast their ballots, in accordance with section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

**MOODY ETAGEAK,**

*Chairman, Election Board.*

**H. W. STARLING,**
*Government Representative.*

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